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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:  
Serial No.:  
Group Art No.:  
Filing Date:  
Title:

Brendan Kitts  
09/681397  
2163  
March 29, 2001

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**Method of Predicting Behavior of a  
Customer at a Future Date and a Data  
Processing System Readable Medium**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

**Certificate of Mailing Under 37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service on **January 9, 2002** in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231

*Janice Pampell*  
Signature

**INFORMATION DISCLOSURE STATEMENT**


Applicant respectfully requests, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the art listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified application. A copy of the art is enclosed for the convenience of the Examiner.

Furthermore, pursuant to 37 C.F.R. §§ 1.97(g) and (h), no representation is made that a search has been made or that this art is material to patentability of the present application. Applicant respectfully submits that the claims of Applicant's above-referenced patent is patentably distinguishable from these references.

Applicant believes no fee is due at this time. However, the Commissioner is hereby authorized to charge any fees due, or refund any credit, to Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich LLP for any fee under 37 C.F.R. §1.17(i).

Respectfully submitted,

**Gray Cary Ware & Freidenrich LLP**  
Attorneys for Applicant



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Dated: 1/9/02

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<b>FORM PTO 1449 US Department of Commerce Patent and Trademark Office</b>		<b>ATTY DOCKET NO.:</b> VIGN1110	<b>SERIAL NO.:</b> 09/681397
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<b>APPLICANT(S):</b> Brendan J. Kitts	
		<b>FILING DATE:</b> March 29, 2001	<b>GROUP ART UNIT:</b> 2163

**U.S. PATENT DOCUMENTS**

EXAM. INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	A1						
	A2						
	A3						
	A4						
	A5						
	A6						
	A7						
	A8						
	A9						

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**FOREIGN PATENT DOCUMENTS**

EXAM. INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION (YES/NO)
	B1						
	B2						

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages)**

EXAM. INITIALS	C1	Kitts, "An Evaluation of Customer Retention and Revenue Forecasting in the Retail Sector: Investigation into the effects of Seasonality, Spending and Method" by DataSage, Inc., October 25, 1999, 63 pages.
	C2	Kitts, "RMS Revenue and Retention Forecasting Final Phase Model Specification" by DataSage, Inc., January 31, 2000, 16 pages.
	C3	
	C4	
EXAMINER		DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.